

Asheville Police Department De-escalation Policy Workshop Summary



November 17, 2016

Introduction

De-escalation tactics are an essential component of 21st century policing, as police officers are frequently tasked with responding to high stress and potentially dangerous incidents. Rather than focusing on a specific set of skills, de-escalation refers to an overarching response that employs various techniques, all intended to maximize officer and community safety. Officers equipped with these strategies are more prepared to protect themselves and their communities, will have fewer community complaints, will cultivate procedural justice, and reduce their need for use of force.

While the use of force remains a legal police option, policing experts agree that utilizing de-escalation increases the chances of gaining suspect compliance before force becomes necessary. Moreover, even where force may ultimately be necessary, de-escalation tactics provide officers with additional time to thoroughly assess the situation, seek out additional resources, and determine the most appropriate response strategy.¹

The Asheville Police Department (APD), in partnership with the Vera Institute of Justice (Vera), undertook a process of engaging with the Asheville community to develop new de-escalation



policies that incorporated community feedback and priorities. As part of this process, Vera facilitated a forum aimed at obtaining community input on the APD's de-escalation policy currently in development. The forum engaged 21 department officials and community members from the Racial Justice Coalition, NAACP, Black Lives Matter, Asheville Public Schools, and various other organizations in a discussion focused on the notion and purpose of de-

escalation as it pertains to police use of force, as well as the benefits of such a policy for police and community. This report details the primary findings from this forum, and provides the APD with specific and actionable recommendations and strategies on how best implement the de-escalation policy.

Purpose Statement

Forum participants split into four mixed groups and were asked to review the existing policy and draft purpose and policy statements related to each section. This was intended to guide the

¹ For additional information on de-escalation, please see "The United States District Court for the Western District of Washington at Seattle." Accessed at:

<https://static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/556dbb5ae4b08964054d816b/1433254746581/DKT+No.+191+Memorandum+Submitting+SPD's+Proposed+2015+Training+Plan+dated+020215.pdf>

APD in crafting their complete de-escalation policy. Once drafted, these statements were reviewed by participants of the forum, and key concepts essential to the policy were extracted from each draft. These concepts illustrated that an effective de-escalation policy must:

- Speak to the value of all lives;
- Preserve and protect all lives and promote mutual respect;
- Respect our community's values; and
- Ensure that all policies and procedures are consistently implemented in police interactions across all races, genders, religions and demographics.

Policy

The group agreed on key concepts extracted from the draft purpose and policy statement that are essential to any de-escalation policy developed by the APD.² Forum participants determined that any de-escalation policy must include processes for:

- Considering reasons for non-compliance (e.g. age, mental health issues, etc.);
- Factoring in surrounding environmental conditions (e.g. light/darkness, presence of a weapon, etc.);
- Limiting physical confrontation unless threat to an officer or others is immediately apparent;
- Determining appropriate, proportional de-escalation response tactics; and,
- Mitigating immediacy of the threat, if feasible, by slowing down the interaction and reassessing the options and resources available.



Further, forum participants outlined various de-escalation tactics to be included in the policy, which included:

- Seeking to avoid or minimize the use of force;
- Allowing more time for alternative approaches;
- Prioritizing communication (this may include talking, listening, using LEED –listen and explain with equity and dignity– as a technique);
- Accessing extra resources to assist, including more officers (e.g. those trained in Crisis Intervention Team/less lethal response strategies, etc.); and,

² Forum participants requested an opportunity to review the final de-escalation policy once “wordsmithing” is complete. Participants also suggested that the final policy be a living document that can be modified as community needs and priorities evolve.

- Focusing on safety by decreasing the exposure to the potential threat using distance, cover, and concealment.

Finally, forum participants listed various trainings that should be provided to all APD officers. These trainings include:

- Introduction to de-escalation policy;
- Community resilience/trauma;
- Mental health/community wellness;
- Critical decision making;
- Non-physical response strategies; and
- Use of tone and language.

Pick Chart Results

In addition to drafting purpose and policy statements, the forum undertook a SWOT (Strengths-Weaknesses-Opportunities-Threats) Analysis of the Asheville community's relations with the police. This enabled participants to outline ideas for next steps and future planning related to police-community relations. These ideas were discussed and placed on a **PICK (Possible with low impact and easy to do; Implement with high impact and easy to do; Challenge with high impact and difficult to do; Kick out those that have low impact and are difficult to do)** chart, the results of which are detailed below. The designations under each category were determined by the forum participants.

P: **Possible with low impact and easy to do (N/A)**

I: **Implement with high impact and easy to do**

- Establish a format or agenda for continued and regular police-community dialogue of issues
- Continue cultivating productive police-community partnerships; continue relationships between community and police
- Engage community in reviewing and participating in the design of other police policies, where appropriate
- Create social contracts with the community
- Establish more pro-active communication between the public, APD and city and community leaders
- Ensure ongoing and adequate training (e.g. diversity, community policing, sensitivity training, etc.) is available to all officers
- Move toward more systematic use of community policing strategies



- Allow community members who participate in policy brainstorming forums to review draft policy before finalization
- Develop partnerships with youth from organizations such as the Asheville Residents' Council and the Asheville City Schools.
- Improve and simplify APD complaint system, so that it's more user-friendly and easy to access by the public
- Engage community in dialogue that focuses on familiarizing citizens with police operations
- Schedule important meetings during times community members are able to attend (e.g. after work hours, 5:30pm -7:30pm)
- Take opportunities to be an example for the state and nation on what model policing looks like
- Write policies in three versions: police jargon, common English, and Spanish
- Develop self-esteem and wellness programs for young girls
- Hire or partner with a mental health clinician who can help advise APD officers on police-community interactions

C: Challenge with high impact and difficult to do

- Community resiliency/trauma training for APD
- Continue working to build trusting relationships between police and community
- Re-define community policing, to shift the mindset on what successful police-community relations look like
- Provide training from the Racial Equity Institute to all APD officers within one year of this policy being implemented.
- Provide targeted job training and recruitment in Asheville public housing facilities
- Increase access to childcare and transportation to enable full community engagement
- Create a rapid response for use of force situations
- Engage clergy, who can assist with communicating with community
- Increase awareness of how economics impact quality of life for many in the community
- Providing ongoing training on identifying and reducing racism and implicit bias
- Replicate model of safety coalition (Domestic Violence and Sexual Assault) for racial profiling

K: Kick-out those that have low impact and are difficult to do (N/A)

Recommendations

- Meet with the community to review community recommendations and draft a de-escalation policy that includes those recommendations.
- Finalize the de-escalation policy, and include recognition of how de-escalation tactics and strategies relate to other APD policies, specifically the Use of Force review process (review chain must assess whether the officer used appropriate de-escalation techniques and how effective they were). This should occur in every use of force review so that the use of de-escalation techniques becomes a routine part of the decision making process and effectively holds officers accountable for its use.
- Provide training on de-escalation policy and techniques for APD staff.
- Publicize a message from the Chief indicating full support for the training. Officers must understand that the training and eventual accountability to the material is a key performance measure for the APD and all department employees.
- Release a joint statement (community and APD) about the process for developing this policy, and the policy details.
- Make explicit efforts to measure the effectiveness of this policy.
- Organize a follow-up meeting approximately one year from full implementation of the de-escalation policy, to report on data, trends etc.

Conclusion and Next Steps

The process that was utilized, initiated by the Racial Justice Coalition and the APD, to develop a de-escalation focused use of force policy is truly collaborative. While a number of departments are increasingly getting community input on draft policies, the process of actively engaging a wide range of community stakeholders —at the beginning and throughout the development of the policy— is unique and a model for other jurisdictions. It shows APD’s commitment to engage the community it serves, giving community representatives an opportunity to provide the department with input on how the community is policed. The process also provided a way to enhance, repair and develop new police-community partnerships, and will contribute to overall trust-building efforts. Use of force by police in America is under more scrutiny than ever before, and engaging the community in a collaborative process of designing a de-escalation policy increases both the transparency and legitimacy of the department.



After this forum, the APD closely reviewed the community feedback in revising its de-escalation policy. In a follow-up meeting, the participants will review the department’s draft de-escalation policy to ensure that reflects the previous discussions regarding purpose, policy, and community priorities. In addition, the participants will discuss how to assess the impact of the

policy change on police-community relations. More specifically, an assessment of the impact on the APD's use of force, in type and frequency.

About the Vera Institute of Justice

With more than a half-century working on the frontlines of justice reform, the Vera Institute of Justice (Vera) is committed to sharing our experience and expertise with leaders in government and civil society to inspire and drive change, and build justice systems that ensure fairness, promote safety, and strengthen communities. In order to achieve our mission, we work with others who share our vision to tackle the most pressing injustices of our day—from the causes and consequences of mass incarceration, disproportionate minority contact with the criminal justice system, and fractured public trust in law enforcement, to the unmet needs of the vulnerable, the marginalized, and those harmed by crime and violence. Key to all of Vera's work is ensuring that final deliverables or research findings are useful to our government partners, and are utilized to develop new, more effective services, or to improve the level of existing services in the justice system.

Participants:

Amy Jackson - Asheville Area Chamber of Commerce
Carmen Ramos-Kennedy - Asheville Branch of the NAACP
Julie Mayfield - Asheville City Council
Dr. Pamela Baldwin - Asheville City Schools
DeLores Venable - Black Lives Matter Asheville
Jasmine Beach-Ferrara - Campaign for Southern Equality
Tyrone Greenlee - Christians for United Community
Curry First - Community Attorney
Gene Bell - Housing Authority of the City of Asheville
Rev. Damita Wilder - Interdenominational Ministerial Alliance
Eric Howard - North Carolina Courts
Angelica Wind - Our Voice
James Lee - Racial Justice Coalition and Building Bridges
Sir Charles Gardner - Residents Council of the Asheville Housing Authority
Bettie Council - Stop the Violence Coalition
Beth Maczka - YWCA of Asheville
Chief Tammy Hooper - City of Asheville Police Department
Captain Mark Byrd - City of Asheville Police Department
Lieutenant Jackie Stepp - City of Asheville Police Department
Sergeant James Boyce - City of Asheville Police Department
Accreditation Manager Hannah Silberman - City of Asheville Police Department